

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

NICHOLAS FITZPATRICK,

Plaintiff,

Case No. 1:06-cv-499

v.

Hon. Richard Alan Enslen

MARCIA WILLIAMS, et al.,

Defendants.

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ORDER AND JUDGMENT
APPROVING REPORT AND RECOMMENDATION

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

THEREFORE, IT IS ORDERED that the Report and Recommendation of the Magistrate Judge, filed June 21, 2007, is approved and adopted as the opinion of the court.

IT IS FURTHER ORDERED that Defendant's Rule 56(b) Motion for Summary Judgment (Dkt. No. 18) is **GRANTED**.

IT IS FURTHER ORDERED that plaintiff's complaint is **DISMISSED** for the reasons stated in the Report and Recommendation.

Dated in Kalamazoo, MI:
July 18, 2007

/s/Richard Alan Enslen
Richard Alan Enslen
Senior United States District Judge